

### **Remarks**

In view of the above amendments and the following remarks, reconsideration of the rejection and further examination are requested.

The specification and abstract have been reviewed and revised to make a number of editorial revisions thereto. Due to the number of changes involved, a substitute specification and abstract including the revisions have been prepared and are submitted herewith. No new matter has been added by the revisions. Enclosed is a marked-up copy of the specification and abstract indicating the changes incorporated therein.

Claims 1-13 have been rejected under 35 U.S.C. §102(a) and being anticipated by Maguire (WO 03/056789). However, it appears that Maguire is actually a reference under 35 U.S.C. §102(b).

Claims 1 and 10-13 have been amended so as to include limitations similar to those originally recited in claim 3. Claims 2-4 have been canceled without prejudice or disclaimer to the subject matter contained therein. Claims 5 and 6 have been amended so as to depend from claim 1.

In addition, claims 1 and 5-13 have been amended to make a number of editorial revisions thereto. These revisions have been made to place the claims in better U.S. form. None of these amendments have been made to narrow the scope of protection of the claims, or to address issues related to patentability, and therefore, these amendments should not be construed as limiting the scope of equivalents of the claimed features offered by the Doctrine of Equivalents.

Claim 1 is patentable over Maguire, since claim 1 recites a mobile terminal having, in part, an information acquisition section operable to acquire an answering message used in answering an incoming call from a message storing section in response to detection of an incoming call by a detection section; a history generation section operable to generate history information in which the answering message acquired by the information acquisition section is kept in association with at least a telephone number of the incoming call as a piece of the history information; a history storing section operable to store the history information generated by the history generation section; and a history notification section operable to notify a user of the mobile terminal of the answering message contained in the piece of the history information, in response to an incoming or outgoing call from or to the telephone number contained in the piece

of the history information stored in the history storing section. Maguire fails to disclose or suggest these features of claim 1.

Maguire discloses a mobile device 112 including a processor 122, a database 116, a display 120 and a communications event software interface module 126. The database 116 stores, as a communications event history, information indicating (1) whether or not an e-mail or SMS message has been read, or whether or not a telephone call was answered, (2) information denoting the type of the communications event (an email message, a SMS message, or a telephone call), and (3) information about the communications event. When a communication event has been received, the mobile device 112 retrieves a communication event history corresponding to the communication event and displays the above-mentioned three types of information on the display 120. (See page 3, paragraph [0011]; page 4, paragraph [0013]; page 7, paragraph [0021] – page 9, paragraph [0023]; pages 10 and 11, paragraph [0026]; and Figures 4 and 5).

As discussed above, when a communications event occurs, the mobile device is capable of retrieving information indicating (1) whether or not an e-mail or SMS message has been read, or whether or not a telephone call was answered, (2) information denoting the type of the communications event (an email message, a SMS message, or a telephone call), and (3) information about the communications event. However, Maguire fails to disclose or suggest that the mobile device 112 (1) acquires an answering message used in answering an incoming call in response to detection of an incoming call; (2) generates history information in which the answering message acquired by the information acquisition section is kept in association with at least a telephone number of the incoming call as a piece of the history information, and (3) stores the history information in the database 116. Further, Maguire fails to disclose or suggest that the mobile device 112 notifies a user of the mobile terminal of the answering message contained in the piece of the history information, in response to an incoming or outgoing call from or to the telephone number contained in the piece of the history information stored in the history storing section. There is no disclosure or suggestion in Maguire of utilizing an answering message in the mobile device 112. As a result claim 1 is patentable over Maguire.


As for claims 10-13, they are patentable over Maguire for reasons similar to those set forth above in support of claim 1. That is, claims 10-13 recite limitations related to an answering message, which features are not disclosed or suggested in Maguire.

Because of the above-mentioned distinctions, it is believed clear that claims 1 and 5-13 are allowable over Maguire. Furthermore, it is submitted that the distinctions are such that a person having ordinary skill in the art at the time of invention would not have been motivated to make any combination of the references of record in such a manner as to result in, or otherwise render obvious, the present invention as recited in claims 1 and 5-13. Therefore, it is submitted that claims 1 and 5-13 are clearly allowable over the prior art of record.

In view of the above amendments and remarks, it is submitted that the present application is now in condition for allowance. The Examiner is invited to contact the undersigned by telephone if it is felt that there are issues remaining which must be resolved before allowance of the application.

Respectfully submitted,

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